



Jennifer J. Cave

Title: Member

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Jennifer Cave has over 20 years of experience working as an environmental consultant and attorney across the United States. Serving as Chair of the firm's Environmental, Energy & Sustainability Service Group, she works closely with businesses to ensure compliance with local, state, and federal environmental laws and regulations. Ms. Cave advises clients on air quality, storm water, wastewater, and solid and hazardous waste permitting and compliance requirements and defends clients in administrative, civil, and criminal enforcement actions. Ms. Cave also regularly counsels equipment manufacturers on the importation and sale of mobile sources under the Clean Air Act and guides clients through transactions involving the purchase and sale of contaminated properties.

# CAPABILITIES

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## Practice Areas

- Environmental Litigation
- Environmental Policy, Legislation and Rulemaking
- Environmental Transactions
- Environmental, Energy & Sustainability
- Health Care - Environmental
- Hemp Industry
- Manufacturing
- Natural Resources & Environmental Surety Law
- Regulatory Counseling, Permitting, Compliance & Enforcement
- Renewable Energy Development
- Sustainability & Emerging Technology

## RECENT ASSIGNMENTS

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- Negotiated a coverage settlement on behalf of an excess insurance carrier in a matter involving claims made in connection with contaminated sediments at the Portland Harbor Superfund site.
- Conducted a Clean Air Act audit and negotiated penalty amnesty with state air agency for a large, coal-fired power plant.
- Obtained hardship relief from U.S. EPA for a manufacturer of non-road equipment following supply chain shortages of compliant engines resulting from the 2011 tsunami in Japan.
- Evaluated state and local air permitting requirements for a nationwide product recall by a Japanese automotive manufacturer.
- Prepared a combined PSD/Title V Permit Application for a proposed coal-fired power plant.
- Counseled museum with respect to assessment for possible toxic mold growth inside museum building.
- Defended a major oil company against CERCLA liability in federal court relating to an accidental release of product from a rail car.
- Advised telecommunications company regarding state air permitting requirements for emergency generators at cell tower sites.
- Defended an insurance company in coverage action resulting from the release of radioactive materials into a city sewer system by a manufacturer of aircraft engine parts.
- Advised client with respect to assessment, remediation, and potential sale of a former electric transformer manufacturing facility.

## BAR ADMISSIONS

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- Kentucky
- U.S. Court of Appeals for the 6th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Western District of Washington
- Washington

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

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- I'm Supposed to Report That? (Understanding and Preparing for Expanded Reporting under the Proposed Air Emissions Reporting Rule)  
Kentucky Environmental Conference 2024, Kentucky Chamber of Commerce, Lexington, Ky., March 26-27, 2024
- Information Overload? A Look Back at the Biggest Environmental Cases and Regulatory Actions of 2023  
Kentucky Environmental Conference 2024, Kentucky Chamber of Commerce, Lexington, Ky., March 26-27, 2024
- Stites & Harbison Names New Enviro Chair  
By Emma Cueto, Law360.com, February 13, 2024
- Jennifer Cave appointed to chair Stites & Harbison's Environmental, Energy & Sustainability Service Group  
by editor, *The Lane Report*, February 9, 2024
- People on the Move: Jennifer J. Cave  
by editor, *Louisville Business First*, February 9, 2024
- Jennifer Cave Appointed Chair of Stites & Harbison's Environmental, Energy & Sustainability Service Group  
by editor, *Attorney At Law Magazine*, February 8, 2024
- Kentucky Begins Implementation and Possible Expansion of Medical Cannabis Program Stites & Harbison Client Alert, January 9, 2024
- EPA Finalizes Long-Awaited PFAS Reporting Rule Stites & Harbison Client Alert, October 10, 2023
- Responding to Environmental Conditions Resulting from Recent Tornadoes, Floods, and Lightning Strikes (It Can Happen to You too....)  
co-speaker, 26th Annual Kentucky Environmental Permitting and Reporting Conference, Kentucky Chamber of Commerce, August 9-10, 2023
- A Vapor Mitigation Case Study Under the Brownfields Redevelopment Program  
co-speaker, 26th Annual Kentucky Environmental Permitting and Reporting Conference, Kentucky Chamber of Commerce, August 9-10, 2023

- Kentucky Becomes 38th State to Legalize the Use of Medical Cannabis Stites & Harbison Client Alert, April 3, 2023
- Latest Trends in Inspections, Enforcement, and EJ  
Speaker, 21st Annual Kentucky Environmental Conference, Lexington, KY, March 9-10, 2023
- Vapor Mitigation Case Study  
co-speaker, 2022 Kentucky Commercial Real Estate Conference, October 18, 2022
- Beshear announces 17 members of Team Kentucky Medical Cannabis Advisory Committee  
by staff writer, *Northern Kentucky Tribune*, June 15, 2022
- Gov. Beshear names members of Team Kentucky Medical Cannabis Advisory Committee  
by staff reporter, *The Lane Report*, June 14, 2022
- Permitted Vices: Ordinary and Extraordinary Requirements for Expanding Industries  
Panelist, Virtual SEER 28th Fall Conference: Webinar Series, American Bar Association, October 21, 2020
- 20 People to Know in Law  
Louisville Business First, May 11, 2020
- Four Important Environmental Law Changes Since You've Been Home with *W. Blaine Early III* , *William T. Gorton III* , *Mary Lucille Noah (Mary Lu)* , and *W. Patrick Stallard* Stites & Harbison Client Alert, May 5, 2020
- Environmental Compliance Considerations for Kentucky Businesses in the Wake of COVID-19  
Stites & Harbison Client Alert, March 31, 2020
- EPA Suspends Enforcement Activities at Regulated Entities Impacted by COVID-19 Stites & Harbison Client Alert, March 27, 2020
- New and Emerging Issues: Chemical Regulatory Developments, U.S. EPA's Implementation of the Amended Toxic Substances Control Act (TSCA) and Coping with California Proposition 65  
29th Annual Business & Industry's Sustainability & Environmental, Health and Safety Symposium, Cincinnati, Ohio, March 24-25, 2020
- Information You Need on the COVID-19 Coronavirus *Stites & Harbison, PLLC* March 2020
- Expansions and New Facilities - Permit Planning and Strategies to Stay on Track  
22nd Annual Kentucky Environmental Permitting and Reporting Conference, Kentucky Chamber, Lexington, KY, August 14-15, 2019

- Odors - Air Quality Issues Beyond the Four Corners of Your Permit  
22nd Annual Kentucky Environmental Permitting and Reporting Conference, Kentucky Chamber, Lexington, KY, August 14-15, 2019
- Best Practices to Avoid Environmental Enforcement in an U.S. EPA Era of Power Rebalance  
28th Annual Business & Industry's Sustainability & Environmental, Health and Safety Symposium, Cincinnati, OH, March 26, 2019
- Environmental Enforcement - What You Need to Know in 2019  
17th Annual Kentucky Environmental Conference, Kentucky Chamber of Commerce, Lexington, KY, March 14-15, 2019
- The X Factor . . . Pathways to Plant Security in the New Millennium  
27th Annual Business and Industry's Sustainability and Environmental, Health & Safety Symposium, Cincinnati, OH, March 27-28, 2018
- Caveat Emptor? Strategies to Avoid Environmental Enforcement in a New U.S. EPA Era  
27th Annual Business and Industry's Sustainability and Environmental, Health & Safety Symposium, Cincinnati, OH, March 27-28, 2018
- Developments in Federal and Kentucky Environmental Law  
Engineering Law and Ethics, HalfMoon Seminars, Lexington, KY, January 18, 2018
- New U.S. EPA Rules to Place Restrictions on Health Care Industry Wastes  
*Bar Briefs*, Louisville Bar Association, November 2017
- New guidelines for dental offices  
*Medical News*, August 22, 2017
- United States EPA Reinstates Effluent Limitations Guidelines for Dental Offices Stites & Harbison Legal Update, August 16, 2017
- Shaking the Dust Off Air Toxics in Kentucky  
20th Annual Kentucky Environmental Permitting and Reporting Conference, Lexington, KY, August 10-11, 2017
- What's New for the Environment? - A Peek at the 2017 Regular Session The Goods, a publication of the Kentucky Association of Manufacturers, March 2017

- (DO Not) Go Directly to Jail . . . Strategies for Avoiding State and Federal Environmental Enforcement  
28th Annual Sustainability and Environmental, Health & Safety Symposium, Cincinnati, OH, March 2017
- New EPA Risk Management Plan Amendments Face 'Trumped' Future The Goods, Kentucky Association of Manufacturers, January 2017
- Sustainability Best Practices: Sustainable Materials Management in Manufacturing  
28th Annual Sustainability and Environmental, Health & Safety Symposium, Cincinnati, OH, March 2017
- EHS Basics 101: Environmental Regulatory Updates & Compliance Strategies  
28th Annual Sustainability and Environmental, Health & Safety Symposium, Cincinnati, OH, March 2017
- EPA delays issuance of final hazardous waste pharmaceuticals rule Medical News, November 2016
- The Drone Wars: Environmental Edition *with J. Clarke Keller* The Goods, Kentucky Association of Manufacturers, November 2016
- Lions and Tigers and Bears, Oh My! (Forms and Portals and Demand Response, Oh My!)  
Kentucky Chamber of Commerce 19th Annual Kentucky Environmental Permitting and Reporting Conference, Lexington, KY August 10-11, 2016
- Use of EPA's eDisclosure Portal in Environmental Audits  
Kentucky Chamber of Commerce 19th Annual Kentucky Environmental Permitting and Reporting Conference, Lexington, KY, August 10-11, 2016
- Current Trends in Federal and Ohio Environmental Enforcement  
Manufacturers' Education Council 25th Annual Business and Industry's Sustainability and Environmental, Health and Safety Symposium, Cincinnati, OH, March 22, 2016
- Decoding the Hazardous Waste Generator Improvements Rule  
Kentucky Chamber of Commerce 14th Annual Kentucky Environmental Conference, Lexington, KY, February 9, 2016
- Waste Not; Want Not  
Kentucky Chamber of Commerce 18th Annual Kentucky Environmental Permitting and Reporting Conference, Lexington, KY, August 26, 2015



- Basics: Environmental Regulations, Regulatory Updates & Compliance Strategies  
Manufacturers' Education Council 24th Annual Business and Industry's Sustainability and Environmental, Health and Safety Symposium, Cincinnati, OH, March 24, 2015
- Current Trends in Indiana & Kentucky Environmental Enforcement  
Manufacturers' Education Council 24th Annual Business and Industry's Sustainability and Environmental, Health and Safety Symposium, Cincinnati, OH, March 24, 2015
- The End of Life: Coal-Fired Power Plant Closure Factors & Implementation  
18th Annual Energy, Utility, and Environment Conference, San Diego, CA, February 16, 2015
- Trends in Environmental Enforcement and Startup, Shutdown, Malfunction Update  
Kentucky Chamber of Commerce 13th Annual Kentucky Environmental Conference, Lexington, KY, February 10, 2015
- Current Trends in Federal Indiana, Kentucky and Ohio Environmental Enforcement  
Manufacturer's Education Council 23rd Annual Business and Industry's Sustainability and Environmental, Health and Safety Symposium, Cincinnati, OH, March 18, 2014
- Environmental Implications for Plant Shutdowns  
Kentucky Chamber of Commerce 17th Annual Kentucky Environmental Permitting and Reporting Conference, Lexington, KY, August 19, 2014
- SCOTUS 13-14 Environmental Case Review  
Kentucky Chamber of Commerce 12th Annual Kentucky Environmental Conference, Lexington, KY, February 21, 2014

## FIRM LEADERSHIP

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- Environmental, Energy & Sustainability Service Group, Chair (2024-present)
- Louisville Office Recruiting Committee, Member

## MEMBERSHIPS

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- Kentucky Bar Association , Environmental, Energy, and Resources Law Section
- Louisville Bar Association
- Air & Waste Management Association

## COMMUNITY INVOLVEMENT

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- Kentucky Horse Park Commission (2023-27)
- Greater Louisville, Inc., Environment and Energy Committee, Chair
- Greater Louisville, Inc., Public Policy Committee
- Team Kentucky Medical Cannabis Advisory Board (2022-present)
- Louisville Regional Science and Engineering Fair, Vice President of Legal & Business Affairs (2018-21)
- Kentucky Air and Waste Management Association, Board of Directors
- Louisville Air Pollution Control District Multi-Pollutant Stakeholder Group
- Women Environmental Leaders of Louisville (WELL), Co-Founder
- Leadership Louisville, Class of 2019

## EDUCATION

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Seattle University School of Law J.D. *magna cum laude* 2004

- Environmental Law Society
- Faculty Scholar Award Nominee

University of Kentucky B.S., Biology *cum laude* 1997

- Equestrian Team
- Alpha Omicron Pi

## MORE THAN STITES & HARBISON

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Ms. Cave joined the firm after working as an environmental consultant specializing in due diligence investigations and hazardous waste compliance in New England and the Pacific Northwest. In the past, Ms. Cave has served on the Board of Directors of the Lexington Humane Society, the Louisville Energy Alliance, and the KMAC Museum and the Steering Committee of Leadership Lexington. In 2017, she co-founded Women Environmental Leaders of Louisville (WELL), a networking group of over 100 women working in the environmental, health and safety, and sustainability fields in Louisville. Ms. Cave is an avid horsewoman who enjoys competing in the sport of eventing. She also assists her two rescue dogs, Mason and Malcolm, with managing the family farm in Shelby County.

## ACCOLADES

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- *Martindale-Hubbell*® AV-Preeminent® Peer Review Rated
- *ChambersUSA*, "America's Leading Lawyers for Business," Environment, Natural Resources & Utilities: Environment (2021-23)
- *Best Lawyers in America*®, Environmental Law (2017-24)
- *Best Lawyers in America*®, Louisville Area Lawyer of the Year for Environmental Law (2020)
- *Kentucky Super Lawyers*®, Rising Stars (2013-16)
- *Business First of Louisville*, 20 People to Know in Law (2020)
- Leadership Lexington Distinguished Leader Award (2013)
- *The Women We Admire*, Top 100 Women Leaders in Law of 2021